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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of	:	Customer Number: 46320
	:	
David KAMINSKY, et al.	:	Confirmation Number: 9838
	:	
Application No.: 10/652,109	:	Group Art Unit: 2178
	:	
Filed: August 29, 2003	:	Examiner: S. Termanini
	:	
For: AUTONOMIC USER INTERFACE WIDGETS	:	

**APPEAL BRIEF**

Mail Stop Appeal Brief - Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This Appeal Brief is submitted in support of the Notice of Appeal filed August 30, 2007, wherein Appellants appeal from the Examiner's rejection of claims 1-13.

**I. REAL PARTY IN INTEREST**

This application is assigned to IBM Corporation by assignment recorded on August 29, 2003, at Reel 014466, Frame 0426.

**II. RELATED APPEALS AND INTERFERENCES**

Appellants are unaware of any related appeals and interferences.

### **III. STATUS OF CLAIMS**

Claims 1-13 are pending and finally rejected in this Application, and it is from the final rejection of claims 1-13 that this Appeal is taken.

### **IV. STATUS OF AMENDMENTS**

The claims have not been amended subsequent to the imposition of the Second Office Action dated May 31, 2007 (hereinafter the Second Office Action).

### **V. SUMMARY OF CLAIMED SUBJECT MATTER**

Referring to Figure 1 and to independent claim 1, a system for autonomically configuring a user interface 100 is disclosed. The system includes at least one widget 120, a policy 150, and a rules engine 150. The at least one widget 120 is programmed to be disposed in the user interface 100 (page 8, lines 13-14 of Appellants' disclosure), and the at least one widget 120 comprises a dynamically configurable presentation field 130 (page 8, line 22 through page 9, line 1). The policy 150 comprises a plurality of business rules for configuring the at least one widget 120 in the user interface 110 (page 9, lines 10-15) based upon a context 160 provided by the at least one widget 120 (page 9, lines 3-9). The rules engine 150 is configured to process the business rules (page 9, lines 14-15).

Referring to Figure 2 and to independent claims 6 and 10, a method for autonomically configuring a user interface widget is disclosed. In blocks 210, 215, business rules for configuring the user interface widget are evaluated according to context information for the user interface widget (page 9, line 23 through page 10, line 4). In blocks 225, 230, the user interface widget is configured with options permitted by the evaluation (page 10, lines 6-15).

## **VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL**

1. Claims 1-5 were rejected under 35 U.S.C. § 101; and
2. Claims 1-13 were rejected under 35 U.S.C. § 102 for anticipation based upon Underwood, U.S. Patent No. 6,601,233.

## **VII. ARGUMENT**

### **THE REJECTION OF CLAIMS 1-5 UNDER 35 U.S.C. § 101**

For convenience of the Honorable Board in addressing the rejections, and claims 2-5 stand or fall together with independent claim 1.

On page 2 of the First Office Action dated December 14, 2006 (hereinafter the First Office Action), the Examiner asserted the following:

Claims 1-5 are directed to computer programs claimed as computer listings per se, i.e., the descriptions or expressions of software programs because the "System" limitation recited, in claims 1-5, does not necessarily mean a hardware system and could be a software-only-system, exclusive of those that are "computer-readable." Accordingly, they do not define any structural and functional interrelationship between the software program and other claimed elements of a computer which permit the software program's functionality to be realized.

In responding to this argument in the response filed March 14, 2007 (hereinafter the First Response), Appellants expressed an unawareness of any "software-only-system" that is capable of being "configured to process said business rules." Software alone is incapable of doing anything because it is disconnected from hardware. Software alone is also covered under M.P.E.P. § 2106.01 with regard to "functional descriptive material." Claims 1-5, however, are not directed to "functional descriptive material." Instead, claims 1-5 are directed to a system. Therefore, claims 1-5 are not directed to software alone.

Appellants also noted that the Examiner's assertion that a system limitation does not necessarily mean a hardware system is a conclusory statement that lacks both factual and legal support. The Examiner has neither cited any case law that supports the Examiner's position nor set forth a cogent argument as to why a system does not necessarily refer to a hardware system. In this regard, Appellants note that claim 1 recites "at least one widget programmed to be ...". Software alone is incapable of being "programmed." Instead, software alone is the program. Thus, the claimed at least one widget cannot be software alone, as alleged by the Examiner.

On page 3 of the Second Office, the Examiner made the initial assertions regard the rejection of claims 1-5:

**Claims 1-5** are rejected under 35 U.S.C. §101 because the claimed invention is directed to~ non-statutory subject matter, and further raises questions as to whether the claims are directed to an abstract idea. As an initial matter, claims 1-5 lack the necessary physical articles or objects to constitute a machine or a manufacture within the meaning of 35 U.S.C. 101.

They are clearly not a series of steps or acts, to be a process, nor are they a combination of chemical compounds to be a composition of matter. (emphasis in original)

Appellants respectfully disagree for the reasons previously set forth in the First Response. Claim 1 recites functional elements (e.g., widget programmed to be disposed in the user interface) of a device.

The Examiner further asserted the following in the second full paragraph on page 3 of the Second Office Action:

More specifically, Claims 1-5 are directed to computer programs claimed as computer listings *per se*, i.e., the descriptions or expressions of software programs because the "System" limitation recited, in claims 1-5, is not limited to a hardware system. In other words, even though it is true that any structurally limiting terminology in the preamble must be treated as a claim limitation - the "System" limitation recited in claims 1-5, in light of the specification, is not limited to hardware and would be reasonably interpreted by one of ordinary skill in the art to be a software-only system, exclusive of those that are "computer-readable" in light of, *inter alia*, the teaching in second paragraph , of page 11 of Applicants' Specification "The present invention can be realized in hardware, software, or a combination of hardware and software." (emphasis added, footnote omitted).

The Examiner appears to have a fundamental misunderstanding as to what defines the claimed invention. The Examiner's citation to page 11 of Appellants' specification is not dispositive as to what defines the claimed invention because the claims set forth the metes and bounds of Appellants' claimed invention, not the specification.

Moreover, the Examiner's implied assertion (see also the first full paragraph on page 4 of the Second Office Action) that claims, given their broadest interpretation, can be both directed to statutory subject matter (e.g., hardware) and non-statutory subject matter (i.e., software alone) are deemed non-statutory is both legally unsupported and has considerable consequences apparently not considered by the Examiner. The entire text of 35 U.S.C. § 101 is reproduced below:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

In comparison, 35 U.S.C. § 102<sup>1</sup> which states "[a] person shall be entitled to a patent unless ..." (emphasis added). The difference between § 101 and § 102 of 35 U.S.C. is that 35 U.S.C. § 102 states that if the claims cover certain subject matter (i.e., anticipatory prior art), then the inventor shall not be entitled to a patent. On the contrary, whereas the existence of a single piece of anticipatory prior art excludes a patent from granting under § 102, § 101 is not similarly written. Instead, 35 U.S.C. § 101 only requires that the claimed invention cover statutory subject matter and does not explicitly prevent a patent from issuing if the claimed invention also covers non-statutory subject matter.

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<sup>1</sup> Section 103 of 35 U.S.C. qualifies prior art using 35 U.S.C. § 102.

The logic behind this notion is best illustrated by considering the consequences if the Examiner's legal assertion was, in fact, correct. It is well-established that a non-functional (i.e., inoperable) device is non-statutory, and the Patent Office has determined that utility, for example, as landfill or as a paperweight, does not meet the utility requirements of 35 U.S.C. § 101. Thus, an inoperable device would be considered to be non-statutory subject matter.<sup>2</sup>

Most patentable claims, however, cover inoperable devices and, thus, non-statutory subject matter. For example, few claims that cover a computer actually recite a power source, but a computer is inoperable without a power source and a host of other devices. These claims, nevertheless, cover non-operable computers that do not include power sources or these other devices required for the computer to be operable.

Few claims recite all the features necessary to make a particular invention operable. Therefore, it is readily apparent that nearly all claims are capable of covering subject matter, which defined solely by the claims, could be considered non-statutory subject matter. Thus, if the Examiner's legal assertion was correct, then most claims would be rejected under 35 U.S.C. § 101. Since the Examiner's proposed "test" is clearly not currently being employed, the test as to whether or not a claim satisfies the requirement of 35 U.S.C. § 101 does not involve determining whether or not a claim could cover some subject matter that is deemed non-statutory involves.

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<sup>2</sup> See M.P.E.P. § 2107.01(II):

An invention that is "inoperative" (i.e., it does not operate to produce the results claimed by the patent applicant) is not a "useful" invention in the meaning of the patent law. See, e.g., Newman v. Quigg, 877 F.2d 1575, 1581, 11 USPQ2d 1340, 1345 (Fed. Cir. 1989); In re Harwood, 390 F.2d 985, 989, 156 USPQ 673, 676 (CCPA 1968) ("An inoperative invention, of course, does not satisfy the requirement of 35 U.S.C. 101 that an invention be useful.").

Instead, the test involves determining whether the claim, as a whole, can cover some statutory subject matter.

On pages 9-11 of the Second Office Action, the Examiner further addressed Appellants' prior arguments. After reproducing certain passages in Appellants' specification and Appellants' argument, the Examiner asserted the following on pages 10 and 11:

Applicants' argument is based on untenable grounds, especially in view of the conspicuous teaching in the first paragraph on page 4 of their Specification: "Notably, the widget can be a widget configured to be disposed in a markup language document." Notwithstanding Applicants' argument that the claimed at least one widget cannot be software alone, how exactly does the 'system' become "Notably ... disposed in a markup language document?" (emphasis added).

The Examiner is not persuaded by the applicants attempt to control interpretation of the claims through the deliberate contradiction of express teachings of the Specification. Applicant is reminded that the pending claims must be "given their broadest reasonable interpretation consistent with the teachings of the Specification. Applicant is reminded that the pending claims must be "given their broadest reasonable interpretation consistent with the specification." and that the broadest reasonable interpretation of the claims must also be consistent with the interpretation that those skilled in the art would reach. (emphasis in original)

The Examiner's response to Appellants' prior arguments has strayed from the issued raised by Appellants. The concept of "software, *per se*" or "functional descriptive material" is a legal concept meant to address software, as an abstract idea (i.e., software, *per se*), or lines of software code written on a piece of paper (i.e., functional descriptive material), which both constitute non-statutory subject matter.

Software, as solely an abstract idea or solely lines of software code written on a piece of paper, is deemed non-statutory subject matter because this software does not produce a useful, concrete, and tangible result, which is the standard set forth by the Federal Circuit<sup>3</sup> used to determine whether a claimed is directed to statutory subject matter. Appellants, however, are not claiming software, as solely an abstract idea, or solely lines of software code written on a piece

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<sup>3</sup> State Street Bank and Trust Company v. Signature Financial Group, Inc., 149 F.3d 1368, 47 USPQ2d 1596 (Fed Cir. 1998).



of paper. Instead, Appellants are claiming a system for autonomically configuring a user interface. Moreover, the useful, concrete, and tangible result (i.e., autonomically configuring a user interface) is clearly identified in the preamble of claim 1. In this regard, the Examiner has failed to explain why the system, encompassed by the limitations recited in claim 1, fails to produce this useful, concrete, and tangible result.

With regard the question posed by the Examiner, each of the at least one widget (in order to be programmed), the claimed policy (in order to be capable of configuring the widget), and the rules engine (in order to be capable of configuring the process) must necessarily be found within a computer system. Otherwise, these elements would not be able to perform their claimed functions, which ultimately lead to a user interface being autonomically configured.

Therefore, for the reasons stated above, Appellants respectfully submit that the Examiner has not set forth a proper rejection of claims 1-5 under 35 U.S.C. § 101.

**THE REJECTION OF CLAIMS 1-13 UNDER 35 U.S.C. § 102 FOR ANTICIPATION BASED UPON UNDERWOOD**

For convenience of the Honorable Board in addressing the rejections, and claims 2, 5-10, and 13 stand or fall together with independent claim 1, claims 11 stands or falls together with claim 3, and claim 12 stands or falls together with claim 4.

The factual determination of anticipation under 35 U.S.C. § 102 requires the identical disclosure, either explicitly or inherently, of each element of a claimed invention in a single

reference.<sup>4</sup> Moreover, the anticipating prior art reference must describe the recited invention with sufficient clarity and detail to establish that the claimed limitations existed in the prior art and that such existence would be recognized by one having ordinary skill in the art.<sup>5</sup> As part of this analysis, the Examiner must (a) identify the elements of the claims, (b) determine the meaning of the elements in light of the specification and prosecution history, and (c) identify corresponding elements disclosed in the allegedly anticipating reference.<sup>6</sup> This burden has not been met.

### Claim 1

Claim 1, in part, recites:

a policy comprising a plurality of business rules for configuring said at least one widget in the user interface based upon a context provided by said at least one widget.

On pages 3 and 4 of the First Office Action, with regard to this particular limitation, the Examiner asserted the following:

a policy comprising a plurality of business rules ("Application Logic is the expression of business rules and procedures [and the] Application Logic includes the control structure that specifies the flow for processing for business events and user requests." col. 125, lines 39-43; *see also* ". ..business rules..." col. 316, lines 24-26) for configuring said at least one widget in the user interface based upon a context provided by said at least one widget ("AddToUIContext [:] Add a User Interface component to the UI context of the activity." col. 32, lines 27-28);

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<sup>4</sup> In re Rijckaert, 9 F.3d 1531, 28 USPQ2d 1955 (Fed. Cir. 1993); Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989); Perkin-Elmer Corp. v. Computervision Corp., 732 F.2d 888, 894, 221 USPQ 669, 673 (Fed. Cir. 1984).

<sup>5</sup> See In re Spada, 911 F.2d 705, 708, 15 USPQ 1655, 1657 (Fed. Cir. 1990); Diversitech Corp. v. Century Steps, Inc., 850 F.2d 675, 678, 7 USPQ2d 1315, 1317 (Fed. Cir. 1988).

<sup>6</sup> Lindermann Maschinenfabrik GMBH v. American Hoist & Derrick Co., 730 F.2d 1452, 221 USPQ 481 (Fed. Cir. 1984).

Upon reviewing the passages cited by the Examiner, Appellants note that the Examiner's citations to column 125 and column 316 are completely silent with regard to "configuring said at least one widget in the user interface," as claimed. Moreover, the Examiner's citation to column 32 is completely silent as to the application logic/business rules described in column 125 and the control logic described in column 316. Therefore, it appears that the Examiner is manufacturing a single specific teaching in Underwood so as to identically disclose the claimed limitation by combining multiple completely unrelated teachings from Underwood. However, Appellants respectfully submit that one having ordinary skill in the art would not have recognized Underwood as teaching the claimed "policy comprising a plurality of business rules for configuring said at least one widget in the user interface based upon a context provided by said at least one widget" since the relied upon teachings within Underwood are unrelated. Thus, Underwood fails to identically disclose the claimed invention, as recited in claim 1, within the meaning of 35 U.S.C. § 102.

Appellants presented the above arguments on pages 3 and 4 of the First Response. In comparing the Examiner's statement of the rejection on pages 5 and 6 of the Second Office Action with the statement of the rejection in the First Office Action, these statements of the rejection appear to be substantially identical. The Examiner, however, responded to Appellants' arguments on pages 11-13 of the Second Office Action.

For example, in the paragraphs spanning pages 11 and 12 of the Office Action, the Examiner asserted, in part, the following:

Applicant's arguments fail specifically point out or focus on how the language of the claims patentably distinguishes them from the cited reference. More specifically, Applicant has not demonstrated why the teachings are "completely unrelated." It appears that the applicant is

proposing that the teachings are not related to each other because they do not materialize in proximity to other teachings within the same reference.

For ease of reference, the limitations at issue in claim 1 are reproduced below:

**a policy comprising a plurality of business rules** for configuring said at least one widget in the user interface based upon a context provided by said at least one widget. (emphasis added)

To teach the bolded portion of the above-reproduced claim limitation, the Examiner cited column 125, lines 39-43 and column 316, lines 24-26, which are reproduced below:

Application Logic is the expression of business rules and procedures (e.g., the steps and rules that govern how a sales order is fulfilled). As such, the Application Logic includes the control structure that specifies the flow for processing for business events and user requests. The isolation of control logic facilitates change and adaptability of the application to changing business processing flows. ReTA implements this service through the Activity Framework. (column 125, lines 39-46)

FIG. 146 shows how a Billing Business Component 14600 may create an invoice. The control logic 14602 (i.e., the sequence of steps and business rules) associated with the billing process is encapsulated within the Billing component itself. The Billing component requests services from several entity-centric Business Components, but it also triggers Fraud Analysis 14604, a process-centric Business Component, if a specific business rule is satisfied. (column 316, lines 24-31).

As argued by Appellants on page 4 of the First Response, "the Examiner's citations to column 125 and column 316 are completely silent with regard to 'configuring said at least one widget in the user interface,' as claimed" (emphasis in original). As such, these cited passages are irrelevant to the claimed limitation.

To teach the underlined portion of the above-reproduced claim limitation, the Examiner cited column 32, lines 27-28, which is reproduced below:

AddtoUIContext

Add a User interface component to the UI context of the activity.

As also argued by Appellants on page 4 of First Response "the Examiner's citation to column 32 is completely silent as to the application logic/business rules described in column 125 and the control logic described in column 316" (emphasis in original).

The Examiner is not permitted to parse limitations to such a fine degree as to eliminate the meaning of the limitation. Otherwise, nearly all claims could be anticipated by a dictionary or reference book in the general art. For example, if a claim was to a "green dog," and a reference showed both a blue dog and a green tree, one cannot properly parse "green" from "dog" so as to have the blue dog identically disclose "dog" and the green tree identically disclose "green." This parsing, however, is exactly what was performed by the Examiner. The above reproduced passages do not have any apparent relationship to one another, and the Examiner is not permitted to mix and match unrelated teachings solely to arrive at the claimed limitations without any guidance from the teachings of the applied prior art.

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With regard to the above issue, the Examiner further asserted the following in the paragraphs spanning pages 11 and 12 of the Office Action:

Applicant has only considered the locations cited by the examiner *in vacuum*, that is, without the context and defined meanings of the cited teachings by other portions of the same reference. Applicant should note that "The use of patents as references is not limited to what the patentees describe as their own inventions or to the problems with which they are concerned. They are part of the literature of the art, relevant for all they contain." A reference may be relied upon for all that it would have reasonably suggested to one having ordinary skill the art, including non-preferred embodiments. (emphasis in original, footnotes omitted)

The Examiner reliance on In re Heck and Merck & Co. is misplaced. The fact that references may be relied upon for all that they teach does not abrogate, from the Examiner, the burden of setting forth a proper rejection.

As noted by the Supreme Court in Festo Corp. v. Shoketsu Kinzoku Kogyo Kabushiki Co.,<sup>7</sup> a clear and complete prosecution file record is important in that "[p]rosecution history estoppel requires that the claims of a patent be interpreted in light of the proceedings in the PTO during the application process." The Courts that are in a position to review the rejections set forth by the Examiner (i.e., the Board of Patent Appeals and Interferences, the Federal Circuit, and the Supreme Court) can only review what has been written in the record; and therefore, the Examiner must clearly set forth the rationale for the rejection and clearly and particularly point out those elements within the applied prior art being relied upon by the Examiner in the statement of the rejection.

This requirement that the Examiner clearly set forth the rationale for the rejection and clearly and particularly point out those elements within the applied prior art being relied upon by the Examiner in the statement of the rejection is found in with 37 C.F.R. § 1.104(c), which reads:

In rejecting claims for want of novelty or for obviousness, the examiner must cite the best references at his or her command. When a reference is complex or shows or describes inventions other than that claimed by the applicant, the particular part relied on must be designated as nearly as practicable. The pertinence of each reference, if not apparent, must be clearly explained and each rejected claim specified.

The Examiner's analysis should not be an invitation to Appellants to engage and guessing and/or speculation as to how the Examiner is interpreting the elements of the claims, what specific features within the applied prior art the Examiner believes identically disclose the claimed invention, and the basis for the Examiner's interpretation and belief. Moreover, the Examiner's analysis should not be an invitation to Appellants to comb through a reference for "the context and defined meanings of the cited teachings." The cited reference of Underwood is not the

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<sup>7</sup> 535 U.S. 722, 122 S.Ct. 1831, 1838, 62 USPQ2d 1705, 1710 (2002).

typical 20-30 page reference. On the contrary, Underwood is 278 pages long, with 111 sheets of drawings, and about 2 columns worth of claims with the rest being written disclosure (approximately 164 pages or 328 columns). By advocating that Appellants review Underwood to make up for the deficiencies in the Examiner's own analysis, the Examiner has clearly failed to meet the initial burden of establishing a prima facie case of anticipation.

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On pages 12 and 13 of the Office Action, in responding to Appellants' prior arguments that the Examiner's citations to column 125 and column 316 are completely silent with regard to "configuring said at least one widget in the user interface," as claimed and the Examiner's citation to column 32 is completely silent as to the application logic/business rules described in column 125 and the control logic described in column 316, the Examiner respectively cited column 62, lines 58-63 and column 280, lines 10-11 of Underwood.

The Examiner's cited passage of column 62, lines 58-63 falls under the heading "User Interface Framework Design" (see column 62, line 33). For ease of reference this passage is reproduced below:

This portion of the present description details the ReTA User Interface (UI) framework design from the perspective of the application developer. The role of this framework is to provide services that generate the HTML code for UI widgets and attach Javascript actions to UI widgets. The UI framework exposes these services through a set of Component Object Model (COM) objects. The application developer uses these UI COM objects and their services through scripting logic added to the application's Active Server Pages (ASP). (column 62, lines 48-67)

How this passage addresses Appellants' prior arguments that the Examiner's citations to column 125 and column 316 are completely silent with regard to "configuring said at least one widget in the user interface" is unclear to Appellants. Appellants concede that this passage discusses generating HTML code for UI widgets. However, this above-reproduced passage is completely

unrelated to "business rules and procedures (e.g., the steps and rules that govern how a sales order is fulfilled), which is the subject of column 125 and unrelated to "how a Billing Business Component 14600 may create an invoice," which is the subject of column 136.

The Examiner's cited passage of column 280, lines 10-11 is reproduced below:

The views map the UI widgets to attributes of business objects. The Java activities can build views from a set of predefined Java classes. The VB activities build views from a set of predefined VB Classes. (column 280, lines 10-13)

How this passage addresses Appellants' prior arguments that the Examiner's citation to column 32 is completely silent as to the application logic/business rules described in column 125 and the control logic described in column 316 is unclear to Appellants. Although this passage describes that the UI widgets are mapped to attributes of business objects, the Examiner has not establish that the business objects are comparable to the claimed "a policy comprising a plurality of business rules."

A discussion of what Underwood considers to be "business objects" is found in column 321, lines 16-25, and reproduced below:

The granularity of Business Components is a frequent topic of discussion. A fairly common misconception is that Business Components are the same as applications, but in fact, applications are assembled from Business Components (or Partitioned Business Components to be more accurate). A typical application might have ten to twenty Business Components. On the other end of the spectrum, Business Components are larger than business objects. In fact, some people refer to Business Components as large-grained business objects.

As apparent from this passage, it appears that Underwood consider "business objects" to be a particular discrete portion used in a business computer application, and the relationship the "business objects" have with the claimed "policy comprising a plurality of business rules" is also unclear to Appellants.



Appellants also note that the limitation at issue recites "a policy comprising a plurality of business rules for configuring said at least one widget in the user interface based upon a context provided by said at least one widget." However, upon reviewing the Examiner's cited passages regarding user interfaces or widgets, Appellants have been unable to determine where the above-underlined passage is identically disclosed. Column 32 states adding a user interface component to "the UI context of the activity," but this is not the same as using context provided by a widget to configure the widget. Also, the cited passage in column 280 states that "[t]he views map the UI widgets to attributes of business objects," and this passage is also silent as to business rules that configure a widget based upon a context provided by the widget.

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### Claim 3

Dependent claim 3 recites "said business rules specify at least one suggested option to be presented to an end user through said at least one widget," and the Examiner cited column 282, lines 35-36, which are comments for computer code, and state "get the Customer Object from the Activity Context and add the default values." How this passage is (i) related to "business rules," (ii) teaches that at least one suggested option is specified by the business rules; and (iii) teaches that the option is presented through the widget is completely unclear to Appellants.

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### Claim 4

Dependent claim 4 recites "aid business rules specify at least one option which is not to be presented to an end user through said at least one widget," and the Examiner asserted the following on pages 6 and 7 of the Second Office Action:

As to dependent claim 4, Underwood teaches business rules specifying at least one option which is not to be presented to an end user through said at least one widget ("activity components to which the current page, previous page record, and information are provided may be selectively determined " col. 57, lines 10-13; see also e.g. "...embed hidden data within forms col. 302, lines 40-43; see also e.g. "ability to hide different implementations of a function behind the same name " col. 12, lines 42-44).

The Examiner's analysis, however, is completely silent as to relating these teachings back to the claimed "business rules" (i.e., the Examiner's cited passages in columns 125 and 315) and to the claimed "configuring said at least one widget in the user interface based upon a context provided by said at least one widget" (i.e., the Examiner cited passage in column 32.

### Conclusion

Based upon the foregoing, Appellants respectfully submit that the Examiner's rejections under 35 U.S.C. §§ 101, 102 are not viable. Appellants, therefore, respectfully solicit the Honorable Board to reverse the Examiner's rejections under 35 U.S.C. §§ 102-103 and 112.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due under 37 C.F.R. §§ 1.17, 41.20, and in connection with the filing of this paper, including extension of time fees, to Deposit Account 09-0461, and please credit any excess fees to such deposit account.

Date: August 30, 2007

Respectfully submitted,

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CUSTOMER NUMBER 46320

## **VIII. CLAIMS APPENDIX**

1. A system for autonomically configuring a user interface comprising:  
at least one widget programmed to be disposed in the user interface, said at least one widget comprising a dynamically configurable presentation field; and,  
a policy comprising a plurality of business rules for configuring said at least one widget in the user interface based upon a context provided by said at least one widget; and,  
a rules engine configured to process said business rules.
2. The system of claim 1, wherein said at least one widget comprises a widget configured to be disposed in a markup language document.
3. The system of claim 1, wherein said business rules specify at least one suggested option to be presented to an end user through said at least one widget.
4. The system of claim 1, wherein said business rules specify at least one option which is not to be presented to an end user through said at least one widget.
5. The system of claim 1, wherein said business rules specify rules for validating input provided through said presentation field.
6. A method for autonomically configuring a user interface widget, the method comprising the steps of:

evaluating business rules for configuring the user interface widget according to context information for the user interface widget; and,

configuring the user interface widget with options permitted by said evaluation.

7. The method of claim 6, wherein said configuring step comprises the step of suggesting at least one option to be presented to an end user through said user interface widget.

8. The method of claim 6, wherein said configuring step comprises the step of filtering at least one option from being presented to an end user through said user interface widget.

9. The method of claim 6, wherein said configuring step comprises the step of validating input provided through a presentation field in said user interface.

10. A machine readable storage having stored thereon a computer program for autonomically configuring a user interface widget, the computer program comprising a routine set of instructions for causing the machine to perform the steps of:

evaluating business rules for configuring the user interface widget according to context information for the user interface widget; and,

configuring the user interface widget with options permitted by said evaluation.

11. The machine readable storage of claim 10, wherein said configuring step comprises the step of suggesting at least one option to be presented to an end user through said user interface widget.

12. The machine readable storage of claim 10, wherein said configuring step comprises the step of filtering at least one option from being presented to an end user through said user interface widget.

13. The machine readable storage of claim 10, wherein said configuring step comprises the step of validating input provided through a presentation field in said user interface.

**IX. EVIDENCE APPENDIX**

No evidence submitted pursuant to 37 C.F.R. §§ 1.130, 1.131, or 1.132 of this title or of any other evidence entered by the Examiner has been relied upon by Appellants in this Appeal, and thus no evidence is attached hereto.

**X. RELATED PROCEEDINGS APPENDIX**

Since Appellants are unaware of any related appeals and interferences, no decision rendered by a court or the Board is attached hereto.